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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF:

**BANISTER** 

SERIAL NO.:

10/786,718

FILED:

February 24, 2004

FOR:

Pulse Activated Actuator Pump System

GROUP:

3746

DOCKET:

MEDIPACS 04.03

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicant hereby proffers U.S. Patent Office Form PTO-1449. Applicants are not submitting copies of the U.S. Patent reference(s)/U.S. Patent Publication(s) as the Office waived the requirement under 37 CFR 1.98(a)(2)(i) on July 11, 2003. These references are discussed in the specification. The claims in the present application are believed to be patentably distinguished over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

The enclosed Information Disclosure Statement is being submitted prior to issuance of the first action on the merits. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are any fee deficiencies or additional fees

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Serial No. 10/786,718 Docket No. MEDIPACS 04.03 Information Disclosure Statement

are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,

Norman P. Soloway Attorney for Applicant Reg. No. 24,315

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 24, 2004 at Tucson, Arizona.

By:

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|   |              |                         |           |                 | Docket Number (Optional)      |                        | Application Number |                             |  |  |  |
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| TERMANYON DISCLOSIER CITATION   |              |                         |           |                 | MEDIPACS 04.03 Applicant(s)   |                        | 10/786,718         |                             |  |  |  |
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|   |              | E RA                    | 25        | S. PATENT       | DOCUMENTS                     |                        |                    |                             |  |  |  |
| *EXAMINER<br>INITIAL  | YERW         | DOCUMENT NUMBER         | DATE DATE |                 | NAME                          | CLASS                  | SUBCLASS           | FILING<br>IF APPRO          |  |  |  |
|   |              | 6,184,608               | 2.6.01    | CABUZ et al.    |                               | 310                    | 309                |                             |  |  |  |
| •   |              | 6,664,718               | 12.16.03  | PELRINE et al.  |                               | 1                      | 1                  |                             |  |  |  |
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|   |              | 6,143,138               | 11.7.00   | BECKER          |                               | 204                    | 157.15             |                             |  |  |  |
| U.S. PATENT APPLICATION PUBLICATIONS  |              |                         |           |                 |                               |                        |                    |                             |  |  |  |
| *EXAMINER<br>INITIAL  | REF          | EF DOCUMENT NUMBER DATE |           | NAME            |                               | CLASS                  | SUBCLASS           | FILING DATE  IF APPROPRIATE |  |  |  |
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| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |              |                         |           |                 |                               |                        |                    |                             |  |  |  |

Form PTO-A820 (also form PTO-1449)

| INFORMATION DISCLOSORE CETATION |          |                                      |                      |                    | Applicant(s)             |                      |                         | D/786,718                   |                            |  |
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| ( SEP 2 8 2004 )                |          |                                      |                      | February 24, 2004  |                          |                      | 3746                    |                             |                            |  |
|                                 |          | DOCUMENT NUMBER                      | U.S                  | S. PATENT          | DOCUMENTS                |                      |                         | <u></u>                     |                            |  |
| *EXAMINER<br>INITIAL            | REF      | DOCUMENT NUMBER                      | DATE                 | NAME               |                          | CLASS                | SUBCLASS                |                             | FILING DATE IF APPROPRIATE |  |
|                                 |          | 6,109,852                            | 8.29.00              | SHAHI              | NPOOR et al.             | 414                  | 1                       |                             |                            |  |
|                                 | •        | 6,475,639                            | 11.5.02              | SHAHI              | NPOOR et al.             | 428                  | 614                     |                             |                            |  |
| -                               |          | 6,213,739                            | 4.10.01              | PHALLEN et al. 417 |                          | 478                  |                         |                             |                            |  |
| •                               |          | 6,464,4766                           | 10.15.02             | ROSS e             | t al.                    | 417                  | 478                     | •                           |                            |  |
|                                 |          | 6,249,076                            | 6.19.01              | MADD               | EN et al.                | 310                  | 363                     |                             |                            |  |
| •                               | •        |                                      | U.S. PATENT          | Γ APPLICA          | TION PUBLICATIONS        |                      |                         |                             |                            |  |
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|                                 | REF      | EF DOCUMENT NUMBER DATE              |                      | E COUNTRY          |                          | CLASS                | SUBCLASS                | Translation YES NO          |                            |  |
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## Docket Number (Optional) Application Number **MEDIPACS 04.03** 10/786,718 INFORMATION DISCLOSURE CITATION Applicant(s) **BANISTER** (Use several sheets if necessary) Filing Date Group Art Unit February 24, 2004 3746 U.S. PATENT DOCUMENTS \*EXAMINER FILING DATE REF SUBCLASS DOCUMENT NUMBER DATE NAME CLASS INITIAL IF APPROPRIATE 6,682,318 1.27.04 TAKEUCHI et al. 417 322 U.S. PATENT APPLICATION PUBLICATIONS EXAMINER FILING DATE REF DOCUMENT NUMBER DATE NAME CLASS SUBCLASS INITIAL IF APPROPRIATE FOREIGN PATENT DOCUMENTS Translation REF DOCUMENT NUMBER DATE CLASS COUNTRY SUBCLASS YES NO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) **EXAMINER** DATE CONSIDERED EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.